

### REMARKS

Claims 1-10 are pending in this application. By this Response, no claims have been amended, added or cancelled.

Applicant acknowledges with appreciation the courtesies extended by the Examiner to Applicant's representative in the telephonic interview conducted July 24, 2003. In the interview, the bases for the rejection of the instant application under 35 U.S.C. § 103(a) were discussed, and it was agreed that the combination of Tyler (U.S. patent 5,920,278) and Smischny (U.S. patent 5,166,890) would result in an inoperable combination. Therefore, the Examiner agreed to withdraw the 35 U.S.C. § 103(a) rejection of independent claims 1, 5, 9 and 10.

During the interview, the Examiner requested Applicant to further distinguish independent claims 5 and 10 from the Tyler reference. Both independent claims 5 and 10 recite, in part,

a plurality of bipolar pulse pairs. . .including a positive pulse and a negative pulse. . .

. . .positioning the positive pulse in the positive timing window and the negative pulse in the negative timing window, the position of the positive pulse in the positive timing window encoding information within the frame, the position of the negative pulse in the negative timing window corresponding to the position of the positive pulse in the positive timing window."

In contrast, Tyler teaches encoding information by using "codes" that are constructed of "the number of pulses, the even-second transmission time, the programmed delay, the time delay between each pulse, and the phase or sign of each pulse" (col. 10, lines 15-18). These "codes" are stored in both the remote transmitter device 62 and the base receiver device 64 (col. 10, lines 18-20).

For example, Tyler's FIG. 10 illustrates a group of pulses 78a-e that are "generated by applying a pseudo-random sequence of modulation pulses to the cosinusoidal carrier signal 112" (col. 10, lines 2-8). The illustrated pulses 78a-e are not comprised of bipolar pulse pairs, but instead, are random pulses generated by the pseudo-random sequence. That is, there is no correspondence between the position of a positive pulse and a negative pulse, as claimed in independent claims 5 and 10.

Furthermore, as taught in Tyler, information is conveyed by use of the "code" that is comprised of "the number of pulses, the even-second transmission time, the programmed delay, the time delay between each pulse, and the phase or sign of each pulse."

However, both independent claims 5 and 10 recite encoding information by using "the position of the positive pulse in the positive timing window." This position, in combination with a corresponding negative pulse, conveys information of interest.

This method of transmitting information by using bipolar pulse pairs is not taught or suggested in Tyler.

**Conclusion**

Applicant believes that this Response has addressed all items in the April 8, 2003, Office Action, and the issues raised during the July 24, 2003, telephonic interview. Accordingly, favorable reconsideration and allowance of claims 1-10 at an early date is solicited. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

DATED: August 5, 2003

Respectfully submitted,

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